

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 5 ACRES, BEING OUT OF THE WILLIAM PATE SURVEY, ABSTRACT 258, CURRENTLY ADDRESSED AT 2025 FM 725 & 167 PECAN BLUFF, FROM C-1Br78 (GENERAL BUSINESS DISTRICT WITH RESTRICTIONS) TO C-1A (NEIGHBORHOOD BUSINESS DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the C-1A (Neighborhood Business District), the City Council has given due consideration to all components of said district; and

WHEREAS, the rezoning is in compliance with the Future Land Use Plan; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan;

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 5 acres being out of the William Pate Survey, Abstract 259, currently addressed at 2025 FM 725 & 167 Pecan Bluff from C-1Br78 (General Business District with Restrictions) to C-1A (Neighborhood Business District); and

now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following tract of land from C-1Br78 (General Business District with Restrictions) to C-1A (Neighborhood Business District):

Approximately 5 acres, being William Pate Survey, Abstract 259, as depicted in Exhibit "A" and described in Exhibit "B", attached.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.

SECTION 3

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 4

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 5th day of March 25, 2024.

PASSED AND APPROVED: Second reading this 8th day of April 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

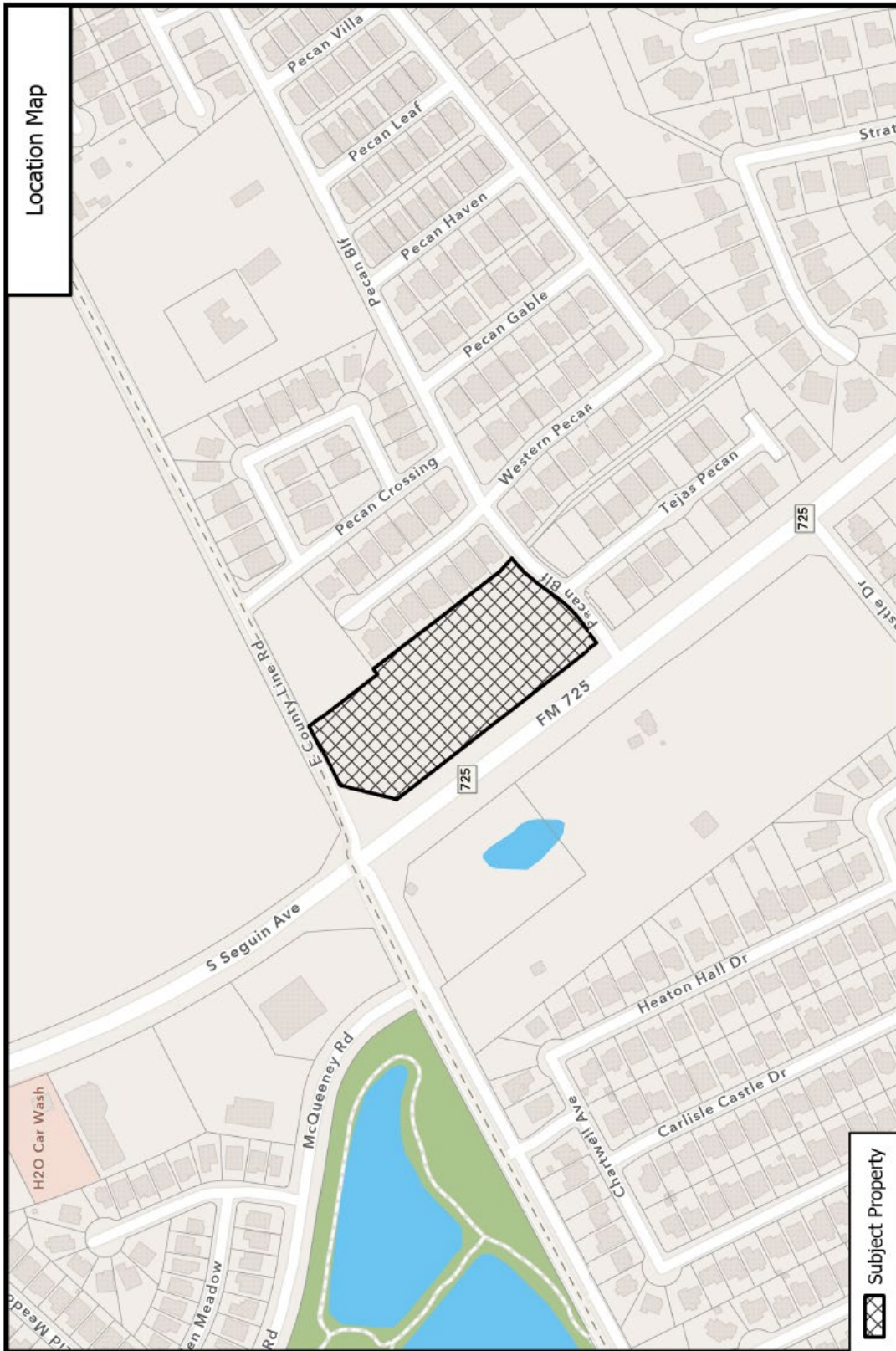


EXHIBIT "B"



FIELD NOTES FOR A 4.303 ACRE ZONING CHANGE TRACT

4.303 ACRES OUT OF THE REMAINING PORTION OF A 11.00 ACRE TRACT IN THE WILLIAM H. PATE SURVEY 22, ABSTRACT 259, GUADALUPE COUNTY, TEXAS, SAID 11.00 ACRE TRACT DESCRIBED AS A "SAVE AND EXCEPT" TRACT IN VOLUME 2531, PAGE 651, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, SAID 4.303 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING:** At a found aluminum TxDOT monument on the new northeast right of way line of FM 725 (public right of way width varies) as described in Document No. 202299002103 of the Official Public Records of Guadalupe County, Texas, having Texas State Plane grid coordinates of N=13,794,206.38 and E=2,253,270.95, South Central Zone, the south corner hereof;
- THENCE:** North 38°00'06" West 639.92' (bearings are based on GPS observations, datum is NAD '83) with the new northeast right of way line of FM 725, to a set ½" iron rod, an angle point hereof;
- THENCE:** North 13°45'54" East 146.84' with the new cut-back line joining County Line Road to a set ½" iron rod, an angle point hereof;
- THENCE:** North 63°10'45" East, with the south right of way line of County Line Road, 162.36' to a point, the north corner hereof;
- THENCE:** South 37°31'21" East, at 214.47' the south boundary line of a 22' Drainage Easement recorded in Volume 7, Page 591-592 and Volume 7 Page 625-626 Map and Plat Records of Guadalupe County, Texas, continuing along said boundary line of 22' Drainage Easement, a total distance of 661.17' to a point on the northwest right of way line of Pecan Bluff (50' wide public right of way), the southwest corner of said 22' drainage easement, the beginning of a curve to the left
- THENCE:** With the northwest right of way line of Pecan Bluff the following:
- With the curve to the left having a radius of 328.00', a delta of 10°40'16", an arc length of 61.09' and a chord bearing of South 41°47'57" West 61.00' to a found ½" iron rod;
- South 36°27'49" West 64.70' to a found ½" iron rod, the beginning of a curve to the right;
- With the curve to the right having a radius of 272.00', a delta of 16°12'53", an arc length of 76.98' and a chord bearing South 44°34'14" West 61.00' to a found ½" iron rod;
- THENCE:** South 51°54'11" West 70.64' to the POINT OF BEGINNING of this 4.303 acre (187,459 square feet) tract in Guadalupe County, Texas.

THESE FIELD NOTES TOGETHER WITH A SURVEY MAP WERE PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY EMPLOYEES OF ALAMO SURVEYORS, LLC. WHO WERE WORKING UNDER MY SUPERVISION AND DIRECTION.

Gary A. Gibbons

Gary A. Gibbons, R.P.L.S. #4716
Date: February 16, 2024
Doc I.D.: 21-0140 Zoning Exhibit
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